
PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Eija Marjut Pirhonen, Timo Pohjonen, and)
Jan Nieuwenhuis)
Serial No.: 10/006,796) Examiner: Micah-Paul Young
Filed: December 4, 2001) Art Unit: 1618
Title: BIODEGRADABLE IMPLANT AND)
METHOD FOR MANUFACTURING ONE) Conf. No.: 9843

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

DECLARATION UNDER 37 C.F.R. § 1.132

I, EIJA MARJUT PIRHONEN, hereby declare as follows:

1. I am an applicant in the above-referenced patent application, being a co-inventor of the subject matter disclosed and claimed therein.
2. I have reviewed the United States Patent and Trademark's final Office Action issued September 22, 2006.
3. In response, I have prepared a biodegradable implant according to the procedure set forth in Example 1 of the above-referenced patent application. Specifically, I extruded a blank of 10:90 trimethylenecarbonate/polylactide copolymer (TMC/PLA), which I then compression molded into a 0.2 mm thick membrane under a maximum pressure of 100 bar and a maximum temperature of 180 °C. I cut the membrane into strips of 10 mm by 80 mm, and immersed the strips into a solution of N-methyl-2-pyrrolidone (NMP) for 30 seconds. I then removed the strips from the NMP solution and placed them on top of a

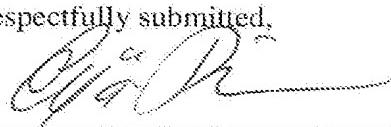
metal net for 30 minutes to ensure diffusion of NMP into the polymer strips. After drying the membrane, I then obtained a scanning electron microscope (SEM) image of a cross-section of the biodegradable implant. This image is included as Attachment A in the Amendment and Request for Continued Examination filed concurrently with this declaration.

4. As can be seen in the SEM image (Attachment A), a cross-section of the biodegradable implant displays a porous layer on each surface (the top and bottom sides of the image), and a solid, substantially non-porous core (the center of the image).
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

8th June 2007

Date


Eija Marjut Pirhonen